



# West Virginia Senate

## Committee on the Judiciary

### Minutes for MARCH 08, 2021, 3:00 PM

Pursuant to the call of the Chair, the Senate Committee on the Judiciary met on March 08, 2021, 3:00 PM in Room 208-W.

Members present: Senators Trump, Weld, Azinger, Grady, Maynard, Phillips, Rucker, Smith, Woodrum, Caputo, Lindsay, Romano, Woelfel

Members absent: Senators Karnes, Stover, Takubo, Beach

A silent roll call being taken, the presence of a quorum was established.

On motion of Senator Weld, the minutes of the previous meeting were approved.

**S. B. 496 - Relating to punishment for second or third degree felony.**

Tom Smith, Chief Counsel, explained the bill, and responded to questions.

With leave of the committee, Perri DeChristopher, Prosecuting Attorney of Monongalia County, West Virginia, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

On motion of Senator Weld, the committee recommended the bill for passage.

**H. JR. 2 - Providing that courts have no authority or jurisdiction to intercede or intervene in, or interfere with, any impeachment proceedings of the House of Delegates or the Senate.**

Tom Smith, Chief Counsel, explained the resolution and responded to questions.

Senator Romano moved to amend the resolution on page 2, line 2 after the word "any" and insert the words "procedures of any".

The Chair being in doubt, a division of the body was demanded by Chairman Trump.

The vote being 4 in favor and 9 opposed, the amendment was rejected.

On motion of Senator Weld, the committee agreed to the resolution.

On motion of Senator Weld, the committee reported the resolution to the full Senate with the recommendation it be adopted, but first be referred to the Committee on Finance.

**S. B. 303 - Creating Local Government Labor and Consumer Marketing Regulatory Limitation Act.**

Mark Dean, Counsel, explained the bill, the purpose of the proposed committee substitute, and responded to questions.

With leave of the committee, Danielle Waltz, United States Chamber of Commerce, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

With leave of the committee, Susan Economou, Deputy Executive Director, West Virginia Municipal League, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

Senator Romano moved to amend the committee substitute to allow counties and municipalities to negotiate contracts with third-parties and not be bound by the political subdivision prohibited areas of regulation.

The Chair being in doubt, a division of the body was demanded by Chairman Trump.

The vote being 5 in favor and 8 opposed, the amendment was rejected.

On motion of Senator Weld the committee recessed for 15 minutes

At the expiration of the recess, the committee reconvened.

With leave of the committee, Bridget Lambert, President, West Virginia Retailers Association, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

With leave of the committee, Matthew Adkins, Marshall University student and Marshall University Sustainability Club, was administered the oath prescribed by Senate Rule 28a by Chairman Trump, addressed the committee, and responded to questions. (See attached oath.)

On motion of Senator Weld, the committee agreed to the committee substitute.

Senator Weld moved to report the committee substitute to the full Senate with the recommendation that it do pass.

The Chair being in doubt, a division of the body was demanded by Chairman Trump.

The vote being 8 in favor and 5 opposed, the committee reported the committee substitute.

[NOTE: Senators Romano, Caputo, and Lindsay voted no on HJR2 and SB303.]

On Motion of Senator Weld the committee adjourned.



Charles S. Trump

Chair



Beverly Douglas

Clerk/Analyst



The Senate of West Virginia

Remote/Virtual Testimony

Testimony taken this 8<sup>th</sup> day of March, 2021, in  
the Senate Committee on the Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be  
the truth, the whole truth, and nothing but the truth, so help me  
God."

Perri DeChristopher

Print Witness Name

Beverly Douglas

Testimony Attested to by Committee  
Clerk

Oath was administered by:

Charles S. Trump

Print Member Name

Charles S. Trump

Sign Member Name



The Senate of West Virginia

Remote/Virtual Testimony

Testimony taken this 8<sup>th</sup> day of March, 2021, in  
the Senate Committee on The Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be  
the truth, the whole truth, and nothing but the truth, so help me  
God."

Bridget Lambert

Print Witness Name

Beverly Douglas

Testimony Attested to by Committee  
Clerk

Oath was administered by:

Charles S. Trump

Print Member Name

Charles S. Trump

Sign Member Name



The Senate of West Virginia

Testimony taken this 8<sup>th</sup> day of March, 2021, in  
the Senate Committee on The Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be  
the truth, the whole truth, and nothing but the truth, so help me  
God."

Susan Economy

Print Witness Name

[Signature]

Sign Witness Name

Oath was administered by:

Charles S. Trump

Print Member Name

[Signature]

Sign Member Name

The Senate of West Virginia



Testimony taken this 8<sup>th</sup> day of March, 2021, in  
the Senate Committee on The Judiciary.

"I solemnly swear (or affirm) that the testimony I shall give shall be  
the truth, the whole truth, and nothing but the truth, so help me  
God."

Danella Walte

Print Witness Name

Danella

Sign Witness Name

Oath was administered by:

Charles S. Trump

Print Member Name

Charles S. Trump

Sign Member Name